

EXHIBIT 66

New head of NYC Correction Department unit criticized for Rikers Island violence was accused in caught-on-video assault of Kalief Browder



The New Yorker

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Kalief Browder's assault in September 2012 was caught on video.

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A correction officer accused in a caught-on-video beating of a handcuffed and defenseless detainee in a Rikers Island jail has been promoted to lead a Correction Department unit criticized for using excessive force, the Daily News has learned.

Vaughn Grinnage, an assistant deputy warden, has been named head of the Emergency Services Unit, which has 200 members who work to quell disturbances and conduct special search operations.

Grinnage was accused in a civil suit in the September 2012 beating of Kalief Browder, who at the time was 19 years old. Browder was 16 when he was locked up at Rikers, where he stayed three years because his family could not make \$3,000

bail on a charge that he stole another teen's backpack on Arthur Ave. near E. 186th St. in the Bronx in May 2010.

After the years of delay, his case was dismissed.

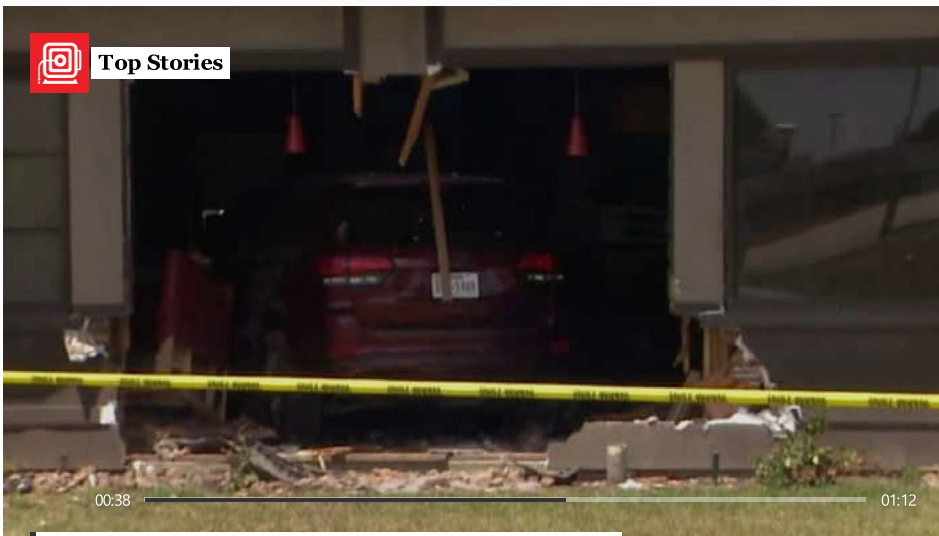
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Reforming the Emergency Services Unit has been a focal point of the federal monitors of violence at Rikers. "A critical area that has not yet been adequately addressed is the management of the Emergency Services Unit, which continues to utilize problematic security practices," the monitors' April report said.



Kalief Browder committed suicide in his family's Bronx apartment after he spent three years as a teen in Rikers Island enduring guard beatings and solitary confinement without ever being convicted. Browder hung himself with a cord.

Browder was released from Rikers in 2013. He died by suicide in 2015 at age 22.



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His case helped bring about the appointment of the federal court monitor of violence at Rikers Island, and a policy by then-mayor Bill de Blasio to end solitary confinement for 16- and 17-year old detainees.

Browder's case fueled the Close Rikers movement, which intends to replace Rikers jails with smaller jails in four boroughs. His case also inspired state laws passed in

2019 to reform bail rules and speed prosecutors' delivery of pretrial discovery documents to criminal defense lawyers.

In a Bronx Supreme Court lawsuit which the city settled in 2019 for \$3.3 million, Browder's family accused Grinnage in the Sept. 23, 2012 caught-on-video attack. The complaint says that Browder "was slammed to the ground while being brought to the ground by defendant officer Grinnage."

Video first published by The New Yorker magazine depicts an assault that day on Browder. The New Yorker did not identify Grinnage, but the magazine's account matches up with the date and description of the incident in the Browder family's lawsuit.

The city's initial response to the Browder lawsuit was not in the official online court file.

Browder's brother, Akeem Browder, was stunned at Grinnage's promotion.

"Oh my God! That's traumatizing," Akeem Browder said this week. "He beat him and then he lied, saying my brother tried to escape. Now he's going to be head of ESU? I don't understand how they can go from being exposed to becoming leaders."



Kalief Browder is seen getting assaulted by a Rikers Island correction officer. The officer accused in the attack, Vaughan Grinnage, is now head of Rikers Island's Emergency Services Unit.

It's not clear if anyone, including Grinnage, was ever disciplined for the incident. The Correction Department did not respond to The News' query about whether the alleged

assault resulted in disciplinary charges, or to a request for comment about Grinnage's promotion.

Paul Prestia, Kalief's lawyer at the time, said Grinnage should have been arrested for the assault.

"I called for him to be charged, but it fell on deaf ears," Prestia said. "If you or I did on video (what he did), we would have been charged and prosecuted immediately. It was criminal what he did."

Grinnage was promoted to captain in 2017, and then to assistant deputy warden in 2022, records show. He made \$236,499 in 2022 — \$78,000 more than he did in 2021, the records show.

"The Bronx DA did nothing about it and then he got promoted — it's disgusting," Prestia said.

Grinnage declined to comment when reached by The News.



Kalief Browder's assault in September 2012 was caught on video.

As leader of the Emergency Services Unit, Grinnage succeeds Julio Colon, who holds the rank of warden.

The reason behind Colon's removal was not immediately clear, but the federal monitor watching over violence at Rikers has repeatedly criticized the unit for using excessive force, including head strikes, and for resorting to extreme violence too routinely.

Joseph Russo, president of the Assistant Deputy Wardens/Deputy Wardens Association, a labor union, said the monitor pressed for Colon's removal. "What the monitor wants, they get," Russo said. "The department should have pushed back to keep Colon. He has been a tremendous asset to the department."

Of Grinnage, Russo added, "Grinnage is a good man, a capable man."

But he complained that the Correction Department did not offer the job to others. "This job should be posted," Russo said. "Shouldn't a city agency give all candidates a opportunity to apply for vacant positions? Are we not obligated to be an equal opportunity employer?"

In its April report, federal monitors Steve Martin and Anna Friedberg again found the ESU out of compliance and questioned its “leadership.”

“The Monitoring Team continues to find that ESU staff exhibit problematic behavior that should have either prevented their appointment to ESU in the first place or triggered their removal.”

The report disclosed that after 50 members of the unit were removed in 2021 for prior disciplinary incidents which should have disqualified them from joining ESU in the first place, 16 were mysteriously reinstated.

“This cleansing of the roster did not catalyze the necessary change in practice for those remaining in the unit,” the monitors wrote.

The monitor has previously said the Correction Department relies too much on ESU and they are often “hyper-confrontational,” which leads to unnecessary uses of force.

Within ESU, Colon had his supporters. “End of an era for a great man who held us down no matter what, but takes a bullet and is used as the escape (sic) goat for the department that has no love,” wrote one Colon fan, publishing an image of him with the assembled members of the unit on Rikers.

“I salute ADW Executive Officer Colon. F— this department for real.”

In October, NY1 profiled Colon as he led a search operation. “I know you’re going to do a great job like you do all the time,” he told his officers.